

University of Dundee

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MacDonald, Alan

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Urban Archives: Endless Possibilities

Alan R. MacDonald

The defining fact of the medieval and early-modern burgh was its legal status and the right of its governing council to exercise authority over its inhabitants, delegated from its superior, the monarch in the case of the royal burghs, or a nobleman or prelate in the case of the baronial and ecclesiastical burghs. The royal burghs of Scotland had exclusive rights to parliamentary representation and international trade and, from their establishment in the twelfth century, were subject to a uniform legal code that was unique in Europe, the *leges burgorum*. Parliamentary statutes added to those foundational rules, overseen by a court under the king's chamberlain and, from the early sixteenth century if not before, that role was taken on by the convention of burghs, comprising delegates from every royal burgh meeting to cement, promote and defend their collective interests. The *leges burgorum*, subsequent statute law and the regulations agreed by the convention gave burgh councils jurisdiction within a defined space and over the lives of the people who occupied that space, including the right to buy and sell goods, to engage in manufactures and to participate in local government. They monitored the quality and price of staple foods and controlled hours of work, leisure and commerce. They were responsible for aspects of religious life, maintaining the church and paying the clergy's stipends, providing education for the town's children and relief for its poor. They provided mechanisms for social control, exercising justice on behalf of the crown and meting out punishments, both corporal and pecuniary, to offenders.

The administrative, financial and judicial records that were created by urban authorities therefore contain a wealth of data for the multi-faceted sub-discipline that is urban history. Research on Scotland's towns has flourished in recent decades, with historians using interdisciplinary approaches to open up areas of study for which the sources had previously been considered inadequate or which had not even been regarded as worthy of investigation. The genesis of much of that work can be traced to the 1980s, and is epitomised by *The Early-Modern Town in Scotland* (1987), a collection of essays edited by Michael Lynch, its nine chapters encompassing social, economic, religious and

political history.¹ In the 'Introduction', as well as providing an overview of the volume, its editor considered the wider state of Scottish urban historiography, reflecting upon the range of approaches and offering possible directions for future research. His agenda encompassed urban history in broad terms and he acknowledged the interrelatedness of what are necessarily artificial subject categories and the need for historians to have a vision that was not limited to any one of them. The purpose of this contribution is to reflect upon how early-modern Scottish urban history has developed since the late 1980s by returning to Lynch's agenda, and considering what has been achieved, and how the subject has developed, both in ways suggested by Lynch and in ways that he did not anticipate. At the same time, it considers the possibilities for new approaches and research agendas that might be taken up by Scottish urban historians during the decades to come.

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Trade was the *raison d'être* of burghs. It underpinned their status and the political domination of the merchants. The interaction between the political and economic history of towns is therefore unavoidable and is given prominence by Lynch, with a particular focus on the turmoil in the middle of the seventeenth century.² The work of David Stevenson and subsequent research by others means that we know much more about how the covenanting revolution affected the burghs in general, and Edinburgh in particular, both politically and economically.³ Yet, outside the capital, much remains to be done to establish the nature of the relationship between economic and political crises. It is already well-known, for example, that the 1640s were a time of dearth but there was also a massive outflow of specie to purchase arms at the beginning of the decade. There is considerable scope to investigate the local impacts of and responses to the troubles of the 1640s, with the potential to transform how the effects of that revolutionary decade are understood. Dundee provides a useful example. Local tradition gives prominence to the

¹ M. Lynch (ed.), *The Early-Modern Town in Scotland* (London, 1987).

² M. Lynch, 'Introduction: Scottish Towns, 1500–1700' in *ibid.*, 1–35.

³ D. Stevenson, 'The Burghs and the Scottish Revolution' in Lynch (ed.), *The Early-Modern Town*, 167–91; L. Stewart, *Urban Politics and the British Civil Wars: Edinburgh 1617–53* (Leiden, 2006); G. DesBrisay, "'The civill warrs did overrun all': Aberdeen 1630–1690' in E. P. Dennison, D. Ditchburn and M. Lynch (eds), *Aberdeen Before 1800: A New History* (East Linton, 2002), 238–67; A. R. MacDonald, *The Burghs and Parliament in Scotland, c.1550–1651* (Aldershot, 2007).

siege and sack of the burgh by the English under General Monck in 1651 as a decisive moment in its decline.⁴ Yet Dundee had suffered a devastating attack by the royalist army of the marquis of Montrose six years previously, after which its council lamented that their burgh was 'readie to ... perish from the comoune wealth' without substantial relief.⁵ The legend contains an element of truth but the dogged endurance of the myth epitomises the huge potential for detailed local studies of the social and economic impact of war to alter our understanding.

Both in this context and with regard to longer term fluctuations in the fortunes of the burghs over the course of the first half of the seventeenth century, Lynch noted that the greatest barrier to advancing our understanding was the burghs' apparent failure to revise their tax roll between 1612 and 1649.⁶ The taxation of the burghs was unusual in European terms in that a proportion of every parliamentary tax voted (one sixth) was allotted to the burghs *en bloc*, rather than each burgh being directly assessed by the crown. The proportion that each paid was negotiated and agreed amongst the burghs themselves in their convention and recorded as a proportion of £100. This was also used for dividing up sums that the burghs might periodically choose to collect for other purposes, notably in providing support to a burgh that had been hit by a man-made or natural disaster, such as a fire or storm damage to its harbour. The tax roll thus provides an impression of the changing relative fortunes of each burgh, but the gap between 1612 and 1649 makes it impossible to make any judgements about the timing of these fluctuations. However, recent research has revealed that the tax roll was revised in 1635 and 1646, and possibly also in 1643.⁷ Although those revised rolls do not appear to have survived, careful research in local sources might permit their substantial reconstruction, allowing shifts in the burghs' relative prosperity to be mapped onto the national upheavals of the period.⁸ Lynch and others have guessed that the beginnings of Glasgow's rise to prominence and of the decline of Dundee and other east-coast ports (with the exception of Edinburgh) may predate the

⁴ See J. Robertson, 'The Storming of Dundee, 1651', *History Scotland*, May/June 2003, 23–7 which argued that the story of the sack of Dundee in 1651 has been exaggerated in local legend.

⁵ *Records of the Parliaments of Scotland to 1707*, 1645/7/8/17, 1645/11/121.

⁶ Lynch, 'Introduction', 6.

⁷ A. R. MacDonald and M. Verschuur, *Records of the Convention of Royal Burghs 1555; 1631–1648* (Woodbridge, 2013), 23–5.

⁸ See, for example, Dundee City Archives, Dundee Council Book, Volume 4, 1613–1653, fo.195v, which records Dundee's revised total in 1646.

1640s and the gradual westward reorientation of trade in the second half of the century.⁹ It may be possible to pin down the chronology of this process, providing sounder foundations for explaining later economic realignments.

It hardly seems rash to suppose that the mid-century wars had significant effects on manufactures, both demographically and economically – production must have shifted to the war effort and demand for and supply of luxuries, both imported and domestic, must have been suppressed significantly. Yet detailed knowledge of these processes remains elusive, largely because our knowledge of the craftspeople of Scotland's burghs is limited. Lynch observed that, at the time of writing, 'There has been only one recent study of a craft occupation' (an unpublished PhD thesis on the origins and development of the hand-knitting industry), and thus there was not a single modern study of one of the core urban crafts of the medieval and early-modern period. Nothing could therefore be said with confidence about their role and significance. Much was written in the nineteenth and early twentieth centuries on single craft guilds in individual burghs, but this work tends to be locally-focused and antiquarian in its approach.¹⁰ Recent historians have barely scratched the surface of organised craft labour, in spite of the survival of extensive written records created by the craft guilds themselves and the rich data available in burgh council minutes and court books. With the exception of Aaron Allen's work on the Edinburgh locksmiths (a sub-group within the hammermen's guild) and Helen Dingwall's study of the capital's barber surgeons, little further progress has been made.¹¹ There is therefore considerable scope for studies of the spectrum of crafts in a larger burgh such as Edinburgh, Dundee, Perth, Aberdeen or Glasgow, or of a single craft across a number of burghs of different sizes and types. What might be learnt, for example, from studying those Edinburgh crafts that serviced the royal court on either side of 1603? Historians' discussions of 'the impact of the regal union' tend to concentrate on its effects on government,

⁹ Lynch, 'Introduction', 6–7; T. M. Devine, 'Scotland' in P. Clark (ed.), *The Cambridge Urban History of Britain, Volume II 1540–1840* (Cambridge, 2000), 155–6.

¹⁰ See, for example, J. Colston, *The Incorporated Trades of Edinburgh* (Edinburgh, 1891); J. Smith, *The Hammermen of Edinburgh and their Altar in St Giles' Church* (Edinburgh, 1906); E. Bain, *Merchant and Craft Guilds: A History of the Aberdeen Incorporated Trades* (Aberdeen, 1887); H. Lumsden and P. H. Henderson, *History of the Hammermen of Glasgow* (Paisley, 1912).

¹¹ A. Allen, *The Locksmith Craft in Early-Modern Edinburgh* (Edinburgh, 2007); H. M. Dingwall, *A Famous and Flourishing Society: The History of the Royal College of Surgeons of Edinburgh 1505–2005* (Edinburgh, 2005); H. M. Dingwall, *Physicians, Surgeons and Apothecaries: Medical Practice in Seventeenth-Century Edinburgh* (East Linton, 1994).

politics and high culture. Yet the royal treasurer's accounts show that there is another story to be told, one of a sudden collapse of crown expenditure (of hundreds of pounds every month) especially on food and clothing for the court.¹² The short-term effects on the internal economic balance of the capital are easy to imagine, as is the possibility that there were deeper, longer-term repercussions. This might be traced through the rates of admissions of new craftsmen, shifts in the specific occupations operating within individual craft guilds, changes over time in which crafts supplied the eight craftsmen (six deacons and two others) who served on the merchant-dominated burgh council, and which crafts supplied Edinburgh's unique craft commissioner to parliament.

Considering the crafts as a group raises the contentious issue of merchant-craft tension. Lynch took the view that outbreaks of conflict should not be understood as a 'general craft revolt' or as 'wholesale friction between merchants and craftsmen', although such tensions were to be found throughout early-modern Europe.¹³ He argued instead that their locally sporadic nature (Perth from the 1530s to the 1550s, Edinburgh in the 1580s, Aberdeen in the 1590s and Dundee at the beginning of the seventeenth century) indicated that local explanations should be preferred. While it would be foolish to deny that each had its local context, their recurrence across a number of burghs over a lengthy period of time surely indicates underlying commonalities that might repay further investigation. There was also trouble in Aberdeen in the 1540s and 1550s and in Dundee in the 1560s, while the government of Mary of Guise legislated nationally to deal with merchant-craft conflict in the 1550s.¹⁴ So while there were undoubtedly complex reasons behind each outbreak, the seventy years between c.1540 and c.1610 might reasonably be characterised

¹² This can be seen in National Records of Scotland [NRS], Treasurer's Accounts, E21/76-8 (1601-1606). The collapse dates from June 1603 and the departure for England of Queen Anna, Prince Henry and Princess Elizabeth, leaving only Prince Charles, who followed in the summer of 1604.

¹³ Lynch, 'Introduction', 9-16, 26; C. R. Friedrichs, *Urban Politics in Early-Modern Europe* (London, 2000), 27-9.

¹⁴ Aberdeen City Archives [ACA], Council Records, CR1/20, 32-3; J. D. Marwick (ed.), *Records of the Convention of Royal Burghs of Scotland 1295-1597* (Edinburgh, 1866), 460; J. R. D. Falconer, *Crime and Community in Reformation Scotland: Negotiating Power in a Burgh Society* (London, 2013), 88, 127-9, 141; M. Verschuur, *Politics or Religion? The Reformation in Perth 1540-1570* (Edinburgh, 2008), 58-60; Dundee City Archives, Council Minute Book, vol. 1, 76-7; A. Maxwell, *The History of Old Dundee* (Dundee, 1884), 184-5; A. R. MacDonald, 'Dundee and the Crown, c.1550-1650' in C. McKean, B. Harris and C. A. Whatley, *Dundee: Renaissance to Enlightenment* (Dundee, 2009), 37.

as a period of recurrent merchant-craft conflict in the larger burghs. Related to this issue, within a longer chronological framework, is the question of why such tensions were not a feature of the seventeenth century in the way that they had been in the sixteenth.

It has long been recognised that the uncertainties created by inflationary pressures affected the nobility, so it is not too far-fetched to suppose that they affected urban elites too. From the later fifteenth century onwards, craftsmen all over Scotland were seeking formal incorporation through obtaining 'seals of cause' from the merchant-dominated councils and the crown.¹⁵ This seems to have been part of a shift in urban power-structures between the medieval and early-modern periods, epitomised by the statute of 1469 by which burgh councils elected their own successors, to the exclusion of the burgh community as a whole. One motivating factor in the emergence of formally-constituted craft guilds may have been a perceived threat from merchant oligarchies, although the converse may also be true, given the degree of control that councils exercised over crafts.¹⁶ A geographically broad analysis of this phenomenon might provide a clearer picture of how the transition from a more open medieval system of government, perhaps dating back to the foundation of the burghs in the twelfth century, to the narrower early-modern form took place. It might also show that merchant-craft tensions were less marked in the intimate context of smaller burghs and more evident where larger populations allowed clearer group differentiation, development of self-identification and rivalries which could lead to tension (because of political, religious or economic uncertainty) and local conflict. The status and power of the crafts can also provide a means of tracing the nature and chronology of another key transition in social and economic power. In Scotland, as elsewhere, industrialisation effectively destroyed the crafts' exclusive rights to manufacturing but it may have been the culmination of a longer-term process, akin to and parallel with that by which the royal burghs' international trading monopoly disappeared.

No discussion of early-modern Scottish urban history can ignore religion and the craft guilds might also provide a lens through which the impact of the

¹⁵ A 'seal of cause' was issued by the burgh council (sometimes confirmed by the crown), granting privileges to a craft guild, and setting out its rules. See, for example, the Dundee Bonnetmakers' seal of cause from 1496: <http://www.ninetradesofdundee.co.uk/files/bonnet/Seals%20of%20Cause/1496%20Seal%20of%20Cause.pdf> [accessed 25 February 2018].

¹⁶ E. Ewan, 'Townlife and Trade' in B. Harris and A. R. MacDonald (eds), *Scotland: The Making and Unmaking of the Nation, c.1100–1707. Vol. I The Scottish Nation: Origins to c.1500* (Dundee, 2006), 129–30.

Reformation can be explored. Before 1560, one of their principal functions was religious, for most maintained an altar and a priest in the parish church, so that masses could be said for the souls of craftsmen and their families, both living and dead. They also played a prominent role in the annual calendar of religious events, notably Corpus Christi. How did they adjust after 1560 and were there common patterns of reallocation of those resources that had previously been devoted to the church? The Reformation had economic ramifications, thus the disappearance of what must have been a significant corporate client-base for a number of guilds in many burghs is also worth considering. Before 1560, there were numerous craft-sponsored chaplains serving altars in urban parish churches and chapels, most larger burghs had between two and four mendicant houses on their fringes, and there were other houses of regular clergy close by a number of towns, such as the Augustinian houses at Cambuskenneth near Stirling, Scone near Perth and Holyrood by Edinburgh. The Reformation suddenly reduced the number of clergy in Scotland's towns: for decades after 1560, only the capital had more than two ministers and most burghs had only one. As well as the absolute numbers of clergy falling, the purchasing habits and therefore the economic role of Reformed clergy will have been very different from those of their predecessors.

Lynch's observation on studies of urban religion is that these works tend to focus on the Reformation, leaving the 1640s and the Restoration period somewhat neglected.¹⁷ With few exceptions, the intervening years have seen the history of religion in Scotland's early-modern towns continue to concentrate its focus on the Reformation period.¹⁸ While some work has been done that touches on the religious politics of Scotland's towns in the Covenanting and the Restoration periods, given the religious turmoil that is known to have engulfed Scotland throughout the period between 1660 and 1690 (and beyond), that era remains the most remarkably unexplored.¹⁹ It

¹⁷ M. Lynch, *Edinburgh and the Reformation* (Edinburgh, 1981). A range of similar local studies followed, both urban and rural, although not all were published except in summary, article or chapter form. See for example, Allan White, 'The Impact of the Reformation on a Burgh Community: The Case of Aberdeen' in Lynch (ed.), *The Early-Modern Town*, 81–101; this was based on a PhD thesis.

¹⁸ Verschuur, *Politics or Religion?*; M. Sanderson, *Ayrshire and the Reformation: People and Change 1490–1600* (East Linton, 1997), which pays significant attention to the urban setting, particularly Ayr itself.

¹⁹ Stewart, *Urban Politics*; S. Gillanders, 'The Scottish Burghs during the Cromwellian Occupation, 1651–60', PhD dissertation (Edinburgh, 1999); S. Spurlock, *Cromwell and Scotland: Conquest and Religion 1650–1660* (Edinburgh, 2007); DesBrisay, "The civil wars did overrun all".

might be assumed that religious dissent in Restoration Scotland, the era of the persecuted Covenanters and the 'killing times', has been done to death, but has it? While recent research has taken a new direction by investigating the ideological frameworks in both the religious and political spheres, there have been no recent detailed studies of religious affiliations and networks either nationally or for individual towns or regions.²⁰ In essence, historians continue to rely on the essentially top-down accounts by Ian Cowan and Julia Buckroyd, based largely on printed narrative sources and central government records.²¹ During this period, urban magistrates and sheriffs were enlisted by the privy council to investigate conventicling and enforce the law against those that were found to be attending illegal religious meetings. These records, which have the potential to transform what we know of who the Covenanters were, both as individuals and social groups, have yet to be explored properly. Without such work, historians trying to say anything meaningful about the nature of Covenanting dissent in the Restoration era are groping in the dark.

To move to the opposite end of the period, perhaps surprisingly Lynch said nothing of the strange neglect of *pre*-Reformation urban religion that might have been observed during the 1980s. To be sure, local studies of the Reformation have paid considerable attention to the decades preceding 1560, but this approach is always susceptible to a teleological tendency, with the pre-Reformation church discussed largely to provide the context for the change that was to come. Yet people's behaviour is not governed by what is going to happen but by their own pasts, by immediate personal concerns and, if what is yet to come is in their minds at all, by the complex interplay of possible futures. This view, which Lynch himself strongly supports, led to a range of studies of the late medieval church in its own right, many of which began in doctoral research projects that he supervised, although only Janet Foggie's work on the Dominican order has been published.²² One of

²⁰ Recent major works on Restoration Scotland have focused on religious and political thought, and on parliament: C. Jackson, *Restoration Scotland, 1660–1690. Royalist Politics, Religion and Ideas* (Woodbridge, 2003); A. Raffe, *The Culture of Controversy: Religious Arguments in Scotland, 1660–1714* (Woodbridge, 2012); G. MacIntosh, *The Scottish Parliament Under Charles I, 1660–1685* (Edinburgh, 2007).

²¹ I. B. Cowan, *The Scottish Covenanters 1660–1688* (London, 1976); J. Buckroyd, *Church and State in Scotland 1660–1681* (Edinburgh, 1980).

²² J. P. Foggie, *Renaissance Religion in Urban Scotland: The Dominican Order 1450–1560* (Leiden, 2003); H. S. Brown, 'Lay Piety in Medieval Lothian, c.1306–1513', PhD dissertation (Edinburgh, 2006); C. Strauch, 'Apostolic Poverty at the Ends of the Earth: The Observant Franciscans in Scotland, c.1457–1560', PhD dissertation

the most significant and refreshing features of these works has been their tendency to eschew the distorting lens of 1560. Granted, the sources for pre-Reformation religion are not as rich as we might want them to be or as rich as those that survive in other countries but these works have laid to rest the once widespread idea that it was not possible to study pre-Reformation religion in Scotland because of a lack of sources. This has been richly and clearly demonstrated in the recently-published work of Mairi Cowan. Her study of the religious life of urban Scotland between the middle of the fourteenth century and the Reformation demonstrates just how much can be discovered, although it is by no means the last word on the subject.²³

Work on the core post-Reformation period (1560–c.1640) remains vibrant and has taken new and interesting directions. The substantial existing body of scholarship has been built upon, both in the local studies referred to above and in the work of Michael Graham, Margo Todd and John McCallum, all of whom have included a significant element of urban history in their work while encompassing both town and countryside.²⁴ Their research has shown just how much can be discovered about the impact of the Reformation on society, the speed and effectiveness with which the new religion was adopted and its remarkable adaptability, in spite of long-standing views of an unbending Calvinist doctrine that has traditionally been regarded as having no time for that sort of thing.

But there is always room for further exploration: while the traditional focus on the centrality of the relationship between church and state was dismissed by Allan Macinnes in the early 1990s as ‘pushing against the frontiers of dead history’, the need to understand properly the exercise of power in society remains.²⁵ It is widely understood that authority was wielded by a range of agencies in early-modern Scotland and yet we still know little of how those different bodies interacted, and to what degree there was cooperation or conflict. In Edinburgh, Lynch identified a significant overlap (for a time at

(Edinburgh, 2006); I. Fraser, ‘The Later Medieval Burgh Kirk of St Nicholas, Aberdeen’, PhD dissertation (Edinburgh, 1989).

²³ M. Cowan, *Death, Life and Religious Change in Scottish Towns c.1350–1560* (Manchester, 2013).

²⁴ M. Graham, *The Uses of Reform: Godly Discipline in Scotland and Beyond, 1560–1610* (Leiden, 1996); M. Todd, *The Culture of Protestantism in Early Modern Scotland* (New Haven, 2002); J. McCallum, *Reforming the Scottish Parish: The Reformation in Fife 1560–640* (Farnham, 2010).

²⁵ A. I. Macinnes, ‘Early Modern Scotland: The Current State of Play’, *Scottish Historical Review*, 73 (1994), 31–2.

least) in the personnel of the kirk session and the burgh council and the same has been observed for Aberdeen in the decades after 1560.²⁶ A recent detailed examination of crime in sixteenth-century Aberdeen has demonstrated how the kirk session and burgh court had a common set of attitudes and approaches, and that the two co-operated in the imposition of order.²⁷ Yet it is not clear to what extent that was normal or whether it endured into the seventeenth century, nor has any attention been devoted to how the bodies actually interacted, whether their personnel overlapped or not.²⁸ How common was it for someone to be passed from kirk session to burgh court (or vice versa) for the same offence? Did individuals choose to take disputes to the kirk session to avoid the secular magistrate or to the burgh court to avoid the public shame of the penitent's stool?

While Scottish towns did not sit at the centre of autonomous city states like some of their continental counterparts, the question of relationships between courts takes us beyond burghs and into their hinterlands, for burghs lay within a series of overlapping jurisdictions, including that of county sheriffs and the presbyteries and synods of the church.²⁹ Lynch noted that they 'were set apart from the surrounding countryside by their charters but were part of it too, through ties of kinship [and] trade', as well as jurisdiction.³⁰ This encapsulates the fact that, in the medieval and early-modern periods, there was no clear differentiation between urban and rural space, or between urban and rural people for that matter. It was the accelerated urbanisation of the later eighteenth century that created that clear division, the emergence of which was key to the transition into the modern period. As well as delineating burghs' boundaries, their charters secured their links with their hinterlands, through allocation of common land, in which burgesses reached into the countryside to pasture animals, gather peat, turf and firewood, and even grow food.

Most significantly of all, a royal burgh's charter designated its territorial 'liberties', a commercial hinterland which, in some cases, might encapsulate huge swathes of the surrounding countryside – it was a common European

²⁶ Lynch, *Edinburgh and the Reformation*, 38–42; Falconer, *Crime and Community*, 45–66.

²⁷ Falconer, *Crime and Community*, 45–66.

²⁸ In Edinburgh, the overlap did not endure into the seventeenth century: see Stewart, *Urban Politics*, 61–4.

²⁹ For a general discussion of this relationship, see D. Nicholas, *Urban Europe 1100–1700* (London, 2003), ch. 2.

³⁰ Lynch, 'Introduction', 19.

concept and, in the case of Aberdeen, this comprised the whole county.³¹ At least in theory, everyone who wished to buy imported goods or sell their produce for export had to do so through the burgh within whose liberties they lived. Although undoubtedly the rights of royal burghs were often breached, the concept of their liberties provided a legal underpinning to the interaction between town and country, and created another way in which rural people might look upon a burgh as their own, as would their role in supplying the town with food, an issue which has yet to be explored systematically for pre-industrial Scotland.³² Some of those rural people would also have been tenants of a leading burgh family for, as was the case throughout Europe, prominent burgesses owned landed estates and 'suburban villas': the Menzies family of Aberdeen and the Wedderburns of Dundee embodied the absence of a clear division between urban and rural elite society. So too did the town houses and honorary burgess status granted to neighbouring magnates, such as the earls of Gowrie in Perth or the earls of Crawford in Dundee.³³

A glance through any sheriff court book provides further evidence of the inextricable link between town and country. Burgesses are frequently to be found there, as pursuers, defenders and witnesses in legal cases, registering contracts and undertaking a whole range of other legal and administrative business. Indeed, sheriff court books must be one of the most under-utilised sources for all sorts of aspects of the history of early-modern Scotland. Deeper exploration of the relationship between towns and their hinterlands in regional case-studies that combine sheriff and burgh court records could reveal a great deal about the how the two worlds interacted.³⁴

Sheriff courts met in the head burgh of each shire, and the role of those towns as regional hubs would repay closer investigation. It is widely

³¹ I. Blanchard, E. Gemmill, N. Mayhew and I. D. Whyte, 'The Economy: Town and Country' in Dennison, Ditchburn and Lynch (eds), *Aberdeen Before 1800*, 141; Nicholas, *Urban Europe*, 94.

³² Nicholas, *Urban Europe*, 33–4, 38.

³³ A. White, 'The Menzies Era: Sixteenth-Century Politics' in E. P. Dennison, D. Ditchburn and M. Lynch (eds), *Aberdeen Before 1800: A New History* (East Linton, 2002), 224–37; C. A. McKean, 'What Kind of Renaissance Town was Dundee?' in C. A. McKean, B. Harris and C. A. Whatley (eds), *Dundee: Renaissance to Enlightenment* (Dundee, 2009), 1–31; C. A. McKean, *The Scottish Chateau* (Stroud, 2001), 125–6, 193–4; MacDonald, *Burghs and Parliament*, 36–9.

³⁴ A key reason for the neglect of sheriff court records lies in the fact that few have been printed: see D. Littlejohn (ed.), *Records of the Sheriff Court of Aberdeenshire*, 3 vols (Aberdeen, 1904–7); W. C. Dickinson, *The Sheriff Court Book of Fife, 1515–1522* (Edinburgh, 1928).

appreciated that, as leading market centres, these towns drew people from their hinterlands, yet their significance as administrative and political centres was equally important. Their mercat crosses were the sites of royal proclamations, and summonses for parliaments and conventions of estates, as well as for those residents of the shire involved in cases before the central courts. They therefore provided a key locus for communication and the affirmation of the authority of central, as well as local, government. Not only did head burghs host their own internal administrative and judicial bodies, the sheriff courts sat there two or three times each month and drew people from far and wide, making every head burgh a legal centre of some significance. Moreover, after the Reformation, the head burghs (among others) hosted the presbyteries of the Reformed church, bringing in ministers and elders from the surrounding rural parishes weekly or fortnightly throughout the year, and in some burghs, the church's regional synods also sat, drawing clergy and laity from a whole diocese twice every year. Together, those overlapping roles would have enhanced the economic, political and cultural significance of the head burghs, for they acted as gathering places for regional elites, where people met to transact legal and commercial business and to exchange ideas. It is a familiar, albeit contested, concept south of the border but we know little of the 'county community' in early-modern Scotland: perhaps the focal role of the head burghs can provide a way to unlock this issue.³⁵

Another prominent aspect of a burgh's relationship with its hinterland lay in what Lynch described as the need to 'chart...the shifting boundaries between provincial or regional centres and the...smaller market towns around them', another prominent issue in European urban history.³⁶ Those relationships certainly involved conflict and confrontation, as is shown in the convention of burghs' constant efforts to halt unfree traders operating outside royal burghs.³⁷ Yet, while baronial burghs might make problems for neighbouring royal burghs, they were part of the regional economy and their activities must have integrated positively, as well as negatively, with those of their more privileged neighbours. The growth in baronial burghs and other local market centres during the later seventeenth century has long been recognised, often being cited as an indication of general economic expansion

³⁵ P. Withington and A. Shepard, 'Introduction: Communities in Early-Modern England' in P. Withington and A. Shepard (eds), *Communities in Early Modern England: Networks, Place, Rhetoric* (Manchester, 2000), 1–15.

³⁶ Lynch, 'Introduction', 5; Nicholas, *Urban Europe*, ch.2.

³⁷ See, for example, MacDonald and Verschuur (eds), *Records of the Convention of Royal Burghs*, 83.

and of the waning power of the royal burghs.³⁸ Yet the phenomenon is still not clearly understood, perhaps because of the poor survival of the records of baronial burghs and their less formal status under the jurisdiction of individual landed proprietors.

Most baronial burghs belonged to peers or lairds and the latter, more than any other group, epitomise the links between burghs and their hinterlands, for many lairds were burgesses and many prominent burgesses were lairds. In the case of some members of the nobility, both peers and lairds, their relationship with the burghs was a largely honorific one which entailed the reciprocal links of client and patron. With others, the relationship was more practical and the categorisation of the individuals concerned is harder as a result, which raises a number of issues. One is the extent to which merchants sought to become lairds to cement their economic status in that most permanent of commodities, land. While it is well known that this was done through marriage, wadsetting and outright purchase, was this an enduring process or was it limited to a particular period? Related to this is the extent to which an individual and his heirs maintained their status as merchants by continuing to trade once they had become landed proprietors. Another issue is the mirror image of that process, the extent to which lairds sought to become burgesses (for a range of reasons) and, once they had done so, the degree to which they were involved in the day-to-day activities of the burgh and the degree to which they saw themselves and were perceived by others as urban people. These are complex problems with no easy answers: some landed families maintained only nominal relationships with neighbouring towns, while others were active magistrates and even served as commissioners to parliament and the convention of burghs. In this regard, Robert Rait wrote in the 1910s of a landed takeover of urban representation in parliament by 1600, implying an erosion of urban independence under an assertion of landed power.³⁹ Yet almost all of these lairds were active members of the communities that they represented, not carpet-baggers on the English model, a phenomenon virtually unknown in Scotland until after the Restoration and rare even then.⁴⁰

There were, however, burghs with noble patrons, the most prominent and oft-cited examples being the earls of Huntly in Aberdeen and the Lords Ruthven (latterly the earls of Gowrie) in Perth. In both cases, as Lynch noted,

³⁸ Devine, 'Scotland', 157–8.

³⁹ R. S. Rait, 'Parliamentary Representation in Scotland', *Scottish Historical Review*, 12 (1914), 123–4.

⁴⁰ For discussion of this, see MacDonald, *The Burghs and Parliament*, 43–7.

'burghs could make demanding clients', and should not be understood as being in the nobles' pockets.⁴¹ In the 1540s, so wary of noble encroachment on urban privilege were the magistrates and councillors of Perth that, before they would admit him as provost, they insisted that Lord Ruthven must swear never to enter Perth's muniment room.⁴² Unfortunately, there are few detailed studies of these relationships and, where they are mentioned, discussion tends to be predicated on the assumption that the balance of power was essentially tipped in the nobles' favour. Yet how strong is the evidence that magnates were literally lording it over implicitly subservient burghs? After all, in the early seventeenth century some prominent burghs doggedly fought to retain close relationships with noble patrons in the face of the crown's efforts to put a stop to them: Perth continued to elect noble provosts after it was outlawed in 1609 and it took nearly twenty years of determined action by the privy council and the convention of burghs to put an end to the practice. Burntisland's story shows that a burgh could shop around, in this case going beyond its hinterland to procure a courtier provost to fend off the encroachments of the local lairds (also courtiers), the Melvilles of Murdocairnie. Resentful of their demands on the burgh, Burntisland enlisted Sir George Hume of Spott, a rival of the Melvilles at court, who would become the most powerful man in government after 1603 as the earl of Dunbar.⁴³

Another option was to dispense with having provosts at all, an approach adopted by a number of Fife burghs in this period.⁴⁴ Indeed, this epitomises the diversity of responses that a burgh might have to the perceived threat or advantage of a close relationship with a local landowner, yet we still do not have a terribly clear picture of these relationships. Lynch wrote that 'The bigger the town the less absolute was the lord's voice in it', but Glasgow, the fifth largest burgh in 1600, climbing to second after Edinburgh later in the century, remained under the jurisdiction of a local noble or its archbishops until well into the seventeenth century, as they retained the right to appoint its magistrates. At the other end of the spectrum, to what extent have the relationships of smaller burghs with neighbouring nobles actually been examined in any detail? The case of Burntisland shows that a burgh might act quite independently in acquiring a noble patron. One related unanswered

⁴¹ Lynch, 'Introduction', 20.

⁴² Perth and Kinross Council Archive, Perth Court and Council Minute Book, B59/12/2, fo.8v.

⁴³ NRS, Burntisland Burgh Court Book, 1596–1602, B9/10/1, fos 104v, 123v; Burntisland Burgh Court Book, 1602–1612, B9/10/2, fo.7v.

⁴⁴ For details, see MacDonald, *The Burghs and Parliament*, 37–41.

question in this regard relates to royal burgh status itself: under James VI, more new royal burghs were created than at any time since the reign of David I, and all of these had been baronial burghs beforehand. Why did their feudal superiors set them free and how was the relationship between the two affected by the change?

The nature of the relationships between towns, nobles and the crown is an issue that is encompassed under the broad heading of urban politics. This field has seen significant developments in recent years, not least as a result of the resurgent interest in parliamentary history, with sustained work on the burghs' role in parliament and on the convention of burghs.⁴⁵ The convention would certainly repay further investigation and is still the poor relation of parliament and the general assembly in terms of the attention it receives as a national representative assembly. The parliamentary activities of the burghs after the Restoration also merit examination in their own right and for the potential they have to provide a more rounded picture of national politics. Moving further forward in time, the parliamentary union of 1707 is often seen as a watershed but what might we learn from studies of the convention of burghs and of the towns themselves that pivoted on that date rather than saw it as an end or a beginning? The regal union of 1603 has long been straddled by historians keen to understand the nature of the transition and a similar approach to 1707 that avoids the controversy of the process of union itself would be welcome.

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As well as providing an overview of the state of scholarship in the later 1980s, Lynch pointed to a number of areas that, while research on them might be desirable, did not seem feasible at the time. Yet much has changed in the intervening years, not only in terms of what has been achieved but also with regard to improved archival cataloguing and electronic search facilities, the latter being largely a consequence of the boom in genealogical research. While historians might lament the effects of the market-driven nature of these developments on the function and focus of some archives, the digitisation and indexing of a range of records, including wills and testaments, and records of baptisms and marriages provide a huge and still largely untapped resource for demographic historians. Thus immigration into burghs from the countryside

⁴⁵ MacDonald, *The Burghs and Parliament*; J. Toller, "'Now of little significance'? The Convention of the Royal Burghs of Scotland, 1651–1688", PhD dissertation (Dundee, 2009).

and from other burghs is one area in which progress might now be made;⁴⁶ and is it not time that the huge interest in the Scots overseas was matched by some more systematic work on people coming *into* Scotland, through investigation of the sources mentioned above and the records of admissions of burgesses? Recent decades have seen a huge interest in the Scots abroad, with particular concentrations of study at Aberdeen, Edinburgh and St Andrews. Yet there has been remarkably little study of immigration. Anyone who has used the records of Scotland's towns has encountered outsiders, but they have largely evaded the sustained attention of historians. Personal family history is all very well, but social, cultural and economic historians could gain much from these records. Lynch also lamented the difficulty of producing detailed studies of occupational structure within burghs, although the painstaking work of Helen Dingwall, Aaron Allen and Cathryn Spence has shown that, for Edinburgh at least, this can be achieved from the second quarter of the seventeenth century, using sasine and taxation records to reconstruct the social and economic demography of that town.⁴⁷ Perhaps similar work in the other larger burghs might also yield significant results.

Every discipline moves on, both in ways that are anticipated and in ways that are not. It is striking how many themes that now seem familiar were barely considered in the late 1980s. Perhaps most remarkably, neither gender nor the family were covered by the contributors to *The Early-Modern Town in Scotland*. Yet considerable work in these areas was being carried out at the time of its publication and much has been added since, so that much recent work is infused with consideration of these issues, demonstrating that they have entered the mainstream, at least in social history, and no longer require the separate treatment that they once received.

Perhaps the most interesting area of research that was barely even considered thirty years ago, at least in Scotland, was what is now familiar to us under the heading of 'everyday life'.⁴⁸ This is now a vibrant field, with

⁴⁶ Nicholas, *Urban Europe*, 43–5 illustrates the sorts of questions that might be addressed.

⁴⁷ H. M. Dingwall, *Late Seventeenth-Century Edinburgh: A Demographic Study* (Leicester, 1994); A. Allen, 'Occupational Mapping of 1635 Edinburgh: An Introduction', *Proceedings of the Society of Antiquaries of Scotland*, 136 (2006), 259–96; A. Allen and C. Spence (eds), *Edinburgh Housemaids Taxation Book 1634–1636* (Woodbridge, 2014).

⁴⁸ For an overview of recent work, see E. A. Cowan and L. Henderson (eds), *A History of Everyday Life in Medieval Scotland, 1000–1600* (Edinburgh, 2010); and E. A. Foyster and C. A. Whatley (eds), *A History of Everyday Life in Scotland, 1600–1800* (Edinburgh, 2010).

historians investigating how much can be revealed about the background noise of life (both literally and metaphorically), things taken for granted that can shed light on changing outlooks and perceptions across the centuries, captured inadvertently in throwaway references. Other approaches were also in their relative infancy thirty years ago, but are now integral to the study of the urban past, such as environmental history, including investigation into waste, disease and changing attitudes to natural (including bodily) processes. One of the most interesting related developments, sensory history, has sought to reclaim the smells, tastes, sights, sounds, and even the *feel* of life in the early-modern town and, moreover, to explore how people's understandings of those were shaped and altered over time.⁴⁹ Elizabeth Ewan and Elizabeth Foyster provided foundational overviews of the subject in the first and second volumes of the *History of Everyday Life in Scotland*, but their footnotes reveal that considerable scope remains for sustained exploration of the Scottish sensory world of the pre-industrial era.⁵⁰

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These recent developments demonstrate that there are always new things to be asked of familiar evidence, and tremendous scope for research in Scotland's urban archives. To demonstrate this, the final section of this article is devoted to a micro case study of a single paragraph from the burgh records of Aberdeen, to show, through one incident, how rich urban records can be. In sixteenth-century Aberdeen, one Robert Howeson, 'walcar' (a waulker or fuller, a finisher of cloth) was convicted of, among other things, 'spilling'⁵¹ the tolbooth clock, and 'making of insurryktioun with certane craftismen aganis the burgessis of the said tounn'. As well as being ordered to pay for the repair of the clock, his punishment consisted of appearing in the church on the following Sunday in just his shirt, barefoot and bare-legged, on his knees, to ask the provost and bailies to forgive him on behalf of the community. He was warned that, if he were to reoffend, he would be 'brint one the cheik and

⁴⁹ For a summary of the topic, see J. Stewart and A. Cowan, 'Introduction' in J. Stewart and A. Cowan (eds), *The City and the Senses: Urban Culture Since 1500* (Aldershot, 2007), 1–22.

⁵⁰ E. Ewan, "'Hamperit in ane hony came': Sights, Sounds and Smells in the Medieval Town' in Cowan and Henderson (eds), *A History of Everyday Life in Medieval Scotland, 109–44*; E. A. Foyster, 'Sensory Experiences: Smells, Sounds and Touch' in Foster and Whatley (eds), *A History of Everyday Life in Scotland, 1600–1800*, 217–33.

⁵¹ i.e. literally spoiling or breaking, possibly related to the legal term 'spuilzie/spuilyie'.

bannest the tounn during the tounis will'. To ensure compliance, he was to lodge a monetary pledge before he was released.⁵²

To start with, it is the record of a dispute between merchants and craftsmen—the case is explicitly recorded in the language of sectional divisions between those two groups. Howeson was designated by the craft of which he was a member and he was committing offences with other craftsmen against 'the burgesses', which must mean, implicitly, the merchant burgesses who dominated the burgh council, sat in judgement over their social inferiors and meted out the punishment. The council clearly also saw itself in particular and the merchant guild more broadly as embodying the 'community' of the burgh, the very town itself. This was an exclusive identity, defined by and restricted to those at the top of the urban hierarchy, based on power and privilege, which was unlikely to have been shared by the less privileged craft burgesses, let alone the mass of unfree indwellers.⁵³

Beneath that most prominent level of interpretation this single paragraph reveals a good deal more. While it probably comes as no surprise that Aberdeen had a town clock, which was present from at least the middle of the fifteenth century but probably considerably earlier, the fact that it was targeted by dissident craftsmen makes it more interesting.⁵⁴ What does that tell us about the clock, its purpose and how it was perceived by different groups within the burgh? It speaks to the significance of the machine as an object through which authority was projected and exercised, in its regulation of people's working lives and even their leisure time. It was a visible and audible symbol of power, with chimes and a gilded face. Clocks were expensive – to buy and to maintain – with one of the handful of the burgh's salaried staff being the 'ruler and keeper' of the clock. It needed daily attention, in the form of literally winding up the weights that drove its escapement mechanism, and frequent minor repairs. It also required lubrication, for which oil had to be bought. Animal fat was too heavy, so in an era before mineral oils were available, expensive olive oil, which probably came from or at least through France was required, for it

⁵² Aberdeen City Archives [ACA], Aberdeen Council Records, CR1/20, 32–3.

⁵³ E. P. Dennison, 'Power to the People? The Myth of the Medieval Burgh Community' in S. Foster, A. MacInnes and R. MacInnes (eds), *Scottish Power Centres: From the Early Middle Ages to the Twentieth Century* (Glasgow, 1998), 100–31. This issue is addressed in Claire Hawes, 'The Urban Community in Fifteenth-Century Scotland: Language, Law and Political Practice', *Urban History*, 44 (2017), 365–80.

⁵⁴ J. Stuart (ed.), *Extracts from the Council Register of the Burgh of Aberdeen* (Aberdeen, 1844), 20.

was always referred to as ‘oyldolive’.⁵⁵ But the oil was not the only import, for the clock itself had been bought in Flanders. This evidence alone indicates the possibilities for the study of measured time in Scotland, its role, significance, uses, as well as human attitudes to punctuality and the power that controlling time can confer. Perhaps the Scottish evidence will not permit as in-depth a treatment as Paul Glennie and Nigel Thrift have achieved for England and Wales but combining a range of sources certainly has considerable potential.⁵⁶

The paragraph is also suggestive of an aspect of pre-Reformation religion which, because so few of the church’s own records have survived, is so much more difficult to recover than the religion of the post-Reformation period. It might have been tempting to assume that doing penance on one’s knees in the face of the kirk in only one’s shirt was characteristically Calvinist, but Howeson was also ordered to carry out his sentence after entering the church at the head of ‘the procession’ and carrying a beeswax candle weighing one pound. It was May 1548: public penance, with its accompanying physical and psychological discomfort, and the ritualised nature of punishment for sin, were no innovations of the post-Reformation system.

Crime and punishment of the civil as well as the religious variety are mentioned too. If Howeson were to reoffend, he would be branded on his cheek and banished from the burgh. This was a standard sentence in early-modern courts, in an era when incarceration was exceedingly rare. The reference to branding brings us back into the realm of sensory history. Apart from the fact that it involved pain, or in this case the threat of it, what better way was there of distinguishing someone as a miscreant than a disfiguring mark on that most public part of his person, that he would carry for the rest of his life? The branding was also linked to the fact that, in almost every early-modern Scottish community, urban or rural, everyone knew everyone else. Branding went hand-in-hand with banishment because it ensured that those who did not know the offender, the people he would encounter once he was banished, would know why he had been forced to leave his own community. The paragraph even contains references to gender-related issues, both in terms of social constructs and in relation to language. It exemplifies an approach to dispute (a violent, confrontational, destructive response to conflict); it reveals the male-dominated institutional power-structures that governed the interaction and behaviour of people in early-modern towns. The

⁵⁵ ACA, Dean of Guild Accounts, DGA1, 1594/5.

⁵⁶ P. Glennie and N. Thrift, *Shaping the Day: A History of Timekeeping in England and Wales, 1300–1800* (Oxford, 2009).

female gender is also strikingly present in the clock itself, for a clock, like a ship, was always referred to as 'she' rather than 'it': Howeson was ordered to pay for the clock to be mended 'sa far as he hes skaythit *her* in ony sort'.

Others reading the same paragraph would doubtless be prompted to consider many more issues than these. Scottish urban records are excellent, at least from the sixteenth century onwards, in the form of council minutes, court books, registers of sasines and deeds, financial accounts, correspondence, and a range of other miscellaneous manuscripts. The only obstacle to progress is that which besets much of Scottish historical research, the lack of a critical mass of scholars. This is a small country and individual historians often find themselves ploughing a lone furrow, arguing with decades-old works or long-dead historians, and struggling to engage with current scholarly debates outside Scotland because so much foundational work that is taken for granted elsewhere is yet to be done here. The historiographical base for the study of the early-modern town in Scotland remains narrow. This is illustrated most clearly by the synthetic works on the big four cities. Aberdeen's *New History* from 2002 is excellent in the scope of its coverage both chronologically and thematically and in the way that it draws upon material culture as well written sources.⁵⁷ More recently, a good deal of similar work has been produced on Dundee, with one of the three volumes on that city's history covering the period from around 1500 to the end of eighteenth century. While its coverage is not as comprehensive as the Aberdeen volume, partially because the local records are nothing like as rich, it contains a great deal that is of value.⁵⁸ Glasgow and Edinburgh, the big two of the present day, if not of the early-modern period, are less well served. The first of Glasgow's three-volume history reaches all the way to 1830, but tragically the entire period before 1660 flashes past in the first chapter.⁵⁹ For a city with a history stretching back to the early post-Roman period, the seat of Scotland's second most senior clerics (its bishops and latterly archbishops), the location of Scotland's second oldest university, and the wealthiest burgh on the west coast, rising to become the second wealthiest in Scotland, that was a missed opportunity. For Edinburgh, staggeringly, nothing comparable to the publication projects on the other three has even been attempted. It is one of the greatest scandals of contemporary Scottish culture that the capital appears to suffer from a profound lack of

⁵⁷ Dennison, Ditchburn and Lynch (eds), *Aberdeen Before 1800*.

⁵⁸ McKean, Harris and Whatley (eds), *Dundee: Renaissance to Enlightenment*.

⁵⁹ T. M. Devine and G. Jackson (eds), *Glasgow. Volume I: Beginnings to 1830* (Manchester, 1995).

interest in and care for its own history in every possible area, be it archives, museums, or support for academic research into its own history.

It would be wrong, however, to end on a negative note, for that would be unrepresentative of the whole picture. The changes in the approaches and methodologies of Scottish urban historiography over the last thirty years, both predicted and unanticipated, have shown an adaptability to broader trends in the discipline and a creative use of existing sources. Material culture, archaeological evidence and cartographic sources have been fruitfully brought to bear, exemplified in the new generation of the Scottish Burgh Survey project, funded by Historic Scotland.⁶⁰ These have shown the degree to which textual sources can be augmented, which has been especially useful in providing insights into the histories of those towns for which written records are less voluminous. John McGavin and Eila Williamson have shown how civic pageantry and ceremony can be pieced together from a range of local records, both civil and ecclesiastical, in a way that none would have thought possible before.⁶¹ There remains tremendous scope for continuing the trend of drawing upon different approaches and disciplines while maintaining the principal focus on the written record, because the richness of the source material for urban history means that there are endless possibilities for exploring new avenues of research with the potential for exciting, stimulating and unexpected results.

University of Dundee

⁶⁰ See, for example, E. P. D. Torrie and R. Coleman, *Historic Kirkcaldy: The Archaeological Implications of Development* (Edinburgh, 1995).

⁶¹ E. Williamson and J. McGavin, 'Crossing the Border: The Provincial Records of South-East Scotland' in A. Douglas and S. B. Maclean, *REED in Review: Essays in Celebration of the First Twenty-Five Years* (Toronto, 2006), 157–77.